

REQUEST FOR COUNCIL ACTION

SUBJECT: Possible moratorium on acceptance and processing of multi-family housing development applications.

SUMMARY: Following discussion among the City Council and the Planning Commission at a joint meeting on April 30, 2014, the Staff was directed to notice and submit a proposal for a moratorium on multi-family development in the City pending further study of (a) ways to control that type of development and (b) ways to incentivize high quality single family residential development.

MOTION RECOMMENDED:

"Based on the findings in the attached ordinance, and the discussion here tonight, I move to approve Ordinance 14-17 establishing a temporary moratorium on acceptance and processing of multi-family housing development applications".

PUBLIC HEARING REQUIRED

Roll Call vote required

Reviewed by:

ARThorup

Robert Thorup
Deputy City Attorney

Reviewed by:

Jeffrey Robinson
Jeffrey Robinson
City Attorney

Reviewed by:

Tom Burdett
Tom Burdett
Dir. Development

Recommended by:

Richard L. Davis
Richard L. Davis
City Manager



Melanie S. Briggs, MMC
City Clerk

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THE CITY OF WEST JORDAN, UTAH
NOTICE OF PUBLIC HEARING

The City of West Jordan City Council will hold a public hearing on Wednesday, May 14, 2014, at 6:00 p.m. at West Jordan City Hall 8000 South Redwood Road, 3rd Floor, Council Chambers, to receive public comments prior to considering adopting an Ordinance 'Declaring a Development Moratorium on Multi-Family Housing Projects' for a temporary period, as allowed by Utah State Code 10-9a-504. Copies of the City Council agenda packet for the items listed below will be available at the City offices or on the [City Council Agenda](#) webpage the Friday prior to the meeting.

Published this 3rd day of May 2014
Melanie S Briggs, MMC
City Clerk

THE CITY OF WEST JORDAN, UTAH
A Municipal Corporation

ORDINANCE NO. 14-17

An Ordinance Declaring a Development Moratorium on Multi-Family Housing Projects.

Whereas, Title 10, Chapter 9a of the Utah Code authorizes the City to establish a moratorium on development activity for a temporary period while the City studies its response to changing circumstances;

Whereas, the people, through public participation and legislative action of the City Council in the General Plan, have expressed a concern that too much multi-family development has taken place in the City with too little new high quality single family housing;

Whereas, this perception was quantified in the General Plan by means of a specific fraction: that multi-family property should not exceed 17% where single family property occupies the remaining 83% of residential properties;

Whereas, the number of multi-family properties in the City currently exceeds the General Plan's desire for no more than 17% in relation to single family homes. Moreover, the City has repeatedly been told by developers that banks are now encouraging multi-family development—particularly apartments—by making loans available to these projects that are not available for other types of real estate development;

Whereas, many undeveloped properties in the City are being held by older families who, through recent testimony before the Planning Commission, are expecting a big payday when they sell their properties for multi-family development;

Whereas, the economic currents now in place are counter to the expressed will of the people in seeking to protect the public welfare by limiting the percentage of multi-family housing in the City in relation to high quality single family residential housing.; and

Whereas, the City Council finds a compelling countervailing public interest to exist that calls for a temporary halt to development of multi-family housing in the City pending a re-examination and re-calibration of the City's development regulations regarding multi-family housing projects.,

NOW THEREFORE, BE IT ORDAINED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH:

Section 1. The City does hereby establish a moratorium, effective at midnight this same day, on the acceptance and processing of development applications for multi-family housing projects, which for this purpose includes any residential structure containing two or more residential units. Until a date to be publicly announced, the City will not accept or process any application for new multi-family housing.

Section 2. Any complete application for multi-family housing now in the hands of the City's development staff is not covered or affected by the establishment of the moratorium in Section 1.

Section 3. The City development staff is hereby charged with re-examining the 2009 City Code provisions applicable to multi-family housing development projects with the intent of bring such provisions and regulations into better consonance with the General Plan's call for a limit of no more than 17% on multi-family housing when compared to the total of existing single family residential properties.

Section 4. The City development staff shall present any proposed changes to the 2009 City Code or any other development standards to the Planning Commission no later than 120 calendar days from the date hereof, and shall present any proposed changes to the City Council with a recommendation for approval no later than 170 days from the date hereof.

Section 5. Under no circumstances will this moratorium last beyond six (6) months from the date of adoption.

Adopted by the City Council of West Jordan, Utah this 14th day of May, 2014.

CITY OF WEST JORDAN

ATTEST:

By: _____
Mayor Kim Y. Rolfe

Melanie Briggs, City Clerk / Recorder

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Ben Southworth	_____	_____
Justin D. Stoker	_____	_____
Mayor Kim V. Rolfe	_____	_____

CITY CLERK/RECORDER'S CERTIFICATE OF PUBLICATION

I, Melanie S. Briggs, certify that I am the City Clerk/Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the _____ day of _____, 2014, pursuant to Utah Code Annotated, 10-3-711.

MELANIE S. BRIGGS, MMC
 City Clerk/Recorder
 [SEAL]